

Thursday, February 2, 2012 - Albany, NY  
Hon. Thomas J. McAvoy, Presiding  
Clerk: M. Price  
Steno: T. Casal

UNITED STATES OF AMERICA

VS.

CRIMINAL NO. 1: 11-CR-533

JEREMY ZIELINSKI

APPEARANCES: AUSA Robert Sharpe for Govt; James Resila, Esq. for Deft; USPOS Joanne DeFreest & Jay Driscoll present

10:00 AM In court; supervised release modification hearing as well as final supervised release violation hearing underway. Defense counsel advises court that defendant wishes to admit to violation #1 listed in SRV [22] petition in full satisfaction of petition; Court accepts defendant's admission. Supervised Release Modification hearing goes forward re: imposing add'l supervised release conditions.

Witness for Government

JoAnne DeFreest  
Jay Driscoll

12:35 PM Govt rests.

Witness for Defendant

Jeremy Zielinski

1:20 PM Court recesses until to 2:15 P.M.

2:30 PM In court; supervised release modification hearing resumes. Cross examination of Defendant Zielinski continues.

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- 2:40 PM Evidence is closed. Court hears closing arguments. All pre-trial submissions are ordered appended to the record. Court makes findings for the record and proceeds directly to sentencing. Defendant sentenced to HOME CONFINEMENT for a period of 6 months. Supervised Release of 24 months. Special Conditions: 1) except for deft's own child, no direct and/or indirect contact w/ minors 2) refrain from any area where minors are likely to congregate 3) sex offender registration 4) mental health treatment w/ polygraph use 5) personal computer use prohibition 6) employment computer restriction w/ 3<sup>rd</sup> party notification 7) employment computer prohibition if recommended by treatment provider 8) submit to searches 9) refrain from sexually explicit materials 10) cost contribution and 11) refrain from excessive use of alcohol. No fine and/or add'l costs imposed. Parties advised appeal rights. Remaining violation #2 listed in SRV [22] petition dismissed upon Govt motion.
- 3:15 PM Court stands adjourned.